

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy animal substance.

DISPOSITION: October 22, 1953. Default decree of condemnation. The court ordered that the product be delivered to the National Zoological Park for its use and not for sale.

20874. Adulteration of canned shrimp. U. S. v. 98 Cases * * *. (F. D. C. No. 35421. Sample No. 47649-L.)

LABEL FILED: September 9, 1953, District of Puerto Rico.

ALLEGED SHIPMENT: On or about August 26, 1953, by the American Sun Dried Shrimp Co., from Houma, La.

PRODUCT: 98 cases, each containing 24 cans, of shrimp at San Juan, P. R.

LABEL, IN PART: (Can) "Helen Ann Brand Wet Pack Small Shrimp Drained Weight 5 Ozs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp, and it was otherwise unfit for food by reason of the presence of badly discolored shrimp.

DISPOSITION: October 20, 1953. Default decree of condemnation and destruction.

20875. Adulteration of canned shrimp. U. S. v. 69 Cases * * *. (F. D. C. No. 35470. Sample No. 67904-L.)

LABEL FILED: September 14, 1953, Northern District of Texas.

ALLEGED SHIPMENT: On or about July 14 and August 3, 1953, by the Deepsouth Packing Co., from New Orleans, La.

PRODUCT: 69 cases, each containing 24 cans, of shrimp at Dallas, Tex.

LABEL, IN PART: (Can) "Shady River Brand Wet Pack Small Shrimp Drained Weight 5 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.

DISPOSITION: October 17, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution. Thereafter, the product was segregated by the United States marshal and inspectors of the Food and Drug Administration, and, as a result, 19 cases of the product were found fit for human consumption and 37 cases were found unfit. The 19 cases which were found good were stored at an institution for subsequent consumption by the inmates, and the remainder of the product was fed to hogs.

20876. Adulteration of frozen breaded shrimp. U. S. v. 20 Cartons * * *. (F. D. C. No. 35636. Sample No. 50129-L.)

LABEL FILED: September 21, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about June 9, 1953, from St. Simons Island, Ga.

PRODUCT: 20 cartons, each containing 12 2-pound packages, of frozen breaded shrimp at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of

decomposed shrimp. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 9, 1953. Default decree of condemnation and destruction.

20877. Misbranding of frozen breaded shrimp. U. S. v. 49 Cases * * *.
(F. D. C. No. 35487. Sample No. 58882-L.)

LIBEL FILED: September 15, 1953, Western District of Michigan.

ALLEGED SHIPMENT: On or about May 22, 1953, by Brunswick Enterprises, Inc., or Jekyll Island Packing Co., Inc., from Brunswick, Ga.

PRODUCT: 49 cases, each containing 12 cartons, of frozen breaded shrimp at Grand Rapids, Mich.

LABEL, IN PART: (Carton) "Net Weight 10 Oz. Jekyll Island Brand Fresh Frozen Breaded Fantail Shrimp Jekyll Island Packing Co. Inc., Brunswick, Georgia Packing & Freezing Supervised by U. S. Food & Drug Administration."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Packing & Freezing Supervised by U. S. Food & Drug Administration" was false and misleading as applied to an article which had not been subject to such supervision.

DISPOSITION: October 16, 1953. Frank Phillips, Grand Rapids, Mich., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

FRUITS AND VEGETABLES

CANNED FRUIT

20878. Misbranding of canned peaches. U. S. v. 24 Cases * * *. (F. D. C. No. 35221. Sample No. 27488-L.)

LIBEL FILED: April 30, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 8, 1953, by the Fair View Packing Co., from Hollister, Calif.

PRODUCT: 24 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Boston, Mass.

LABEL, IN PART: (Can) "Sliced Yellow Cling Peaches In Heavy Syrup Castle Garden."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned peaches since all peach units of the article did not meet the test for tenderness as prescribed by the standard and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: August 6, 1953. The M. D. Kremgold Co., Boston, Mass., and the Fair View Packing Co. having filed a joint answer and later consented to the entry of a default decree, judgment of condemnation was entered and the court ordered that the product be delivered to a charitable institution for its use and not for sale.